

IWO

PATENT
Attorney Docket 036870-5045-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Michael Zasloff et al.**)
Application No. **10/824,661**) Art Unit: **1616**
Filed: **April 15, 2004**) Examiner: **Not Assigned**
For: **Aminosterol Compounds Useful as**)
Inhibitors of the Sodium/Proton Exchanger)
(NHE), Pharmaceutical Methods and)
Compositions Employing Such Inhibitors,)
and Processes for Evaluating the NHE-)
Inhibitory Efficacy of Compounds)

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, **Mail Stop Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

TRANSMITTAL FORM

- Transmitted herewith is a Third Preliminary Amendment.
- Additional papers submitted:
 - Figures 17A and 17B (1 sheet)
 - Copy of U.S. Patent No. 5,847,172
- Fee Calculation (37 C.F.R. § 1.16):

CLAIMS AS AMENDED						
	Claims Remaining		Previously Paid	Extra	at Rate of	Total Fees
Total Claims	28	minus	28	0	at \$50 each =	0.00
Independent Claims	3	minus	3	0	at \$200 each =	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						0.00
TOTAL FEE =						\$0.00

- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time,

please consider this a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account 50-0310.

5. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **January 10, 2005**

Morgan, Lewis & Bockius LLP

Customer No. **09629**

1111 Pennsylvania Avenue, N.W.

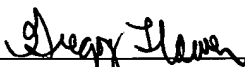
Washington, D.C. 20004

Tele: 202-739-3000

Fax: 202-739-3001

Respectfully submitted,

Morgan, Lewis & Bockius LLP



Gregory T. Lowen

Registration No. 46,882

Direct: 202-739-5915



PATENT
Attorney Docket 036870-5045-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Zasloff <i>et al.</i>)	
)	
Application No. 10/824,661)	Art Unit: 1616
)	
Filed: April 15, 2004)	Examiner: Not Assigned
)	
For: Aminosterol Compounds Useful as)	
Inhibitors of the Sodium/Proton Exchanger)	
(NHE), Pharmaceutical Methods and)	
Compositions Employing Such Inhibitors,)	
and Processes for Evaluating the NHE-)	
Inhibitory Efficacy of Compounds)	

THIRD PRELIMINARY AMENDMENT

Prior to examination on the merits, please amend this application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.